

CERTIFIED TRUE COPY

11
FILED

PETER VERNIERO
ATTORNEY GENERAL OF NEW JERSEY

OCT 25 1996

By: Marianne W. Greenwald
Deputy Attorney General
Division of Law - 5th Floor
124 Halsey St.
P.O. Box 45029
Newark, New Jersey 07101
Tel. (201) 648-4738

BOARD OF PHARMACY

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

| | |
|-----------------------------------|-----------------------|
| IN THE MATTER OF THE SUSPENSION : | |
| OR REVOCATION OF THE LICENSE OF : | Administrative Action |
| : | : |
| FESTUS NWANKWO : | : |
| : | : |
| TO PRACTICE PHARMACY IN THE : | CONSENT ORDER |
| STATE OF NEW JERSEY AND THE : | : |
| PERMIT OF: : | : |
| : | : |
| BLOOMFIELD PHARMACY : | : |
| : | : |
| TO OPERATE A PHARMACY IN THE : | : |
| STATE OF NEW JERSEY : | : |
| RI 21088 : | : |

This matter was opened to the New Jersey State Board of Pharmacy upon the receipt of information that Festus Nwankwo pled guilty in the Federal District Court of New Jersey to one count of wire fraud, in violation of 18 U.S.C. §1343, to wit; submitting false claims to Medicare and Medicaid in excess of \$5,000,000, and to one count of tax evasion in violation of 26 U.S.C. §7201. In addition to the above, respondent has also been issued by the Board two uniform penalty letters for violations observed during routine pharmacy inspections at Bloomfield and Lazaroff Pharmacies.

Respondent being desirous of resolving these matters without the necessity of further formal proceedings, and respondent having agreed to abide by the terms of the within Order, and for good cause shown,

IT IS THEREFORE ON THIS 25TH DAY OF OCTOBER 1996 ORDERED AND AGREED:

1. Respondent Festus Nwankwo has voluntarily agreed to a revocation of his license to practice pharmacy effective with the entry of this Order.

2. Effective with the entry of this Order respondent shall cease and desist in the practice of pharmacy in any manner or form, including but not limited to the following: he shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; he shall not engage in the verification of refill authorization by telephone; he shall not advise or consult with any person concerning the properties and actions of drugs; he shall not engage in any business activity that relates to reimbursement from third party payors for dispensing of medications.

3. Within one (1) month from the date of entry of this Order, the respondent shall divest himself of all interest which he presently holds in Bloomfield Pharmacy to a person unrelated to him through consanguinity or marriage or to a partnership or corporation in which none of the partners or principals are related to him through consanguinity or marriage. Respondent shall provide the Board with a copy of the executed contract of sale. In the event respondent is unsuccessful in transferring the pharmacy

within 30 days, he shall surrender the pharmacy permit to the Board immediately.

4. Respondent shall pay to the Board \$10,050.00 representing fines incurred for violations cited in the pharmacy operations of Bloomfield and Lazaroff Pharmacies as reflected in inspection reports Nos. 8-3962.2, \$5,950.00 and 8-396-2A (96-149), \$4,000.00, respectively, and costs to the State in the amount of \$1,629.75.

STATE BOARD OF PHARMACY

By: *Sophie Heymann*
Sophie Heymann, President

I have read the within Order
and I understand its terms.
I consent to its entry by the
New Jersey State Board of Pharmacy

Festus Nwankwo
Festus Nwankwo, R.P.
Individually and for Bloomfield Pharmacy